

REMARKS

Claims 22-25 and 27-32 were pending, all of which were rejected. Claim 22 has been amended. No new matter is added.

Claim Rejections – 35 U.S.C. §102

Claims 22, 23, 28 and 30 were rejected under 35 U.S.C. §102(b) as being anticipated by Liaw (6,448,140 B1) (“Liaw”). Reconsideration is respectfully requested.

Amended independent Claim 22 recites:

- (1) a polysilicon structure formed upon a substrate and having first lateral side walls;
- (2) an insulating structure formed on said first lateral side walls for insulating said polysilicon structure;
- (3) a silicide structure entirely covering said polysilicon structure and having second lateral side walls; and
- (4) a protecting structure formed by means of chemical vapor deposition (CVD) on said second lateral side walls for protecting said silicide structure.

The Examiner stated that “Liaw teaches ... (4) a protecting structure 5 (col 5, line 30) formed by means of chemical vapor deposition (CVD) on said laterals of said silicide structure for protecting said silicide structure.” Applicant notes, however, that as shown in Fig. 5 of Liaw, the structure 5 is formed on top of the silicide structure 4 and is not formed “on said second lateral side walls” of the silicide structure, as recited in the amended Claim 22.

Moreover, Liaw teaches that the same “silicon oxide sidewall layer” is formed on the sides of the silicide layer 4 and the polysilicon layer 3. Fig. 2, col. 4, lines 36-41. The silicon oxide sidewall layer is then grown, but is still formed on the sidewalls of the silicide layer 4 and the polysilicon layer 3. Fig. 4; col. 5, lines 7-15. Thus, Liaw does not teach or suggest having an “insulating structure” on the sidewalls of the polysilicon structure and a separate “protecting structure” on the sidewalls of the silicide structure, as recited in Claim 22.

Should the Examiner take the position the “a silicon nitride spacer 10” of Liaw can serve as the claimed protecting structure and is formed on the sidewalls of the silicide layer 4, Applicant points out that silicide nitride spacer 10 is formed outside the silicon oxide 9c. See, Fig. 5; col. 5, lines 47-49. Accordingly, Liaw teaches that the silicon nitride spacer 10 is formed on the silicon oxide sidewall layer 9c (col. 5, line 48) and is not “formed ... on said second lateral side walls” of the silicide structure as recited in Claim 22.

In addition, Claim 22 recites "a silicide structure entirely covering said polysilicon structure". As described in Liaw, a "lateral recess 8, is selectively created in tungsten silicide layer 4, via use of a wet etch solution..." resulting in a structure as illustrated in Fig. 3. Col. 4, lines 63-64. Thus, the silicide layer 4 is not "entirely covering said polysilicon structure" as recited in Claim 22.

Thus, Applicant respectfully submits that Claim 22 is patentable over Liaw. Reconsideration and withdrawal of this rejection is respectfully requested. Claims 23, 28 and 30 depend from Claim 22 and are, therefore, likewise patentable for at least the same reasons.

Claim Rejections – 35 U.S.C. §103

Claims 27-29, and 31-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Liaw. Reconsideration is requested.

As discussed above, Claim 22 is patentable over Liaw. Claims 27-29 and 31-32 depend from Claim 22 and, accordingly, are likewise patentable for at least the same reasons.

Claim 22 has been amended and Claims 22-25 and 27-32 remain pending. For the above reasons, Applicants respectfully request allowance of all pending Claims. Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 982-8202.

CERTIFICATE OF FACSIMILE TRANSMISSION

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Date of Signature

Respectfully submitted,



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